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Attorneys for Defendants

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA;  
STATE OF CALIFORNIA;  
STATE OF DELAWARE;  
STATE OF FLORIDA;  
STATE OF GEORGIA;  
STATE OF HAWAII;  
STATE OF ILLINOIS;  
STATE OF INDIANA  
STATE OF LOUISIANA;  
COMMONWEALTH OF MASSACHUSETTS;  
STATE OF MICHIGAN;  
STATE OF MONTANA;  
STATE OF NEVADA;  
STATE OF NEW JERSEY;  
STATE OF NEW HAMPSHIRE;  
STATE OF NEW MEXICO;  
STATE OF NEW YORK;  
STATE OF NORTH CAROLINA;  
STATE OF OKLAHOMA;  
STATE OF RHODE ISLAND;  
STATE OF TENNESSEE;  
STATE OF TEXAS;  
COMMONWEALTH OF VIRGINIA;  
STATE OF WISCONSIN;  
and the DISTRICT OF COLUMBIA;  
*EX REL.* LAURIE SIMPSON,

Plaintiffs/Relator,

v.

BAYER CORPORATION, BAYER HEALTHCARE  
PHARMACEUTICALS, INC., BAYER  
PHARMACEUTICALS CORPORATION, BAYER  
HEALTHCARE LLC, BAYER AG, BAYER  
HEALTHCARE AG and BAYER SCHERING  
PHARMA, AG,

Defendants.

Civil Action No.: 05-3895 (GEB)

**ORDER OF THE CLERK EXTENDING  
TIME TO ANSWER OR OTHERWISE  
RESPOND PURSUANT TO  
LOCAL RULE 6.1(b)**

*Document Electronically Filed*

Application is hereby made to the Clerk of the United States District Court for the District of New Jersey by attorneys for Defendants Bayer Corporation, Bayer Healthcare Pharmaceuticals, Inc., and Bayer Healthcare LLC (“Bayer Defendants”)<sup>1</sup> for an extension of time within which to answer or otherwise respond to the Third Amended Complaint herein for a period of fifteen (15) days pursuant to Local Civil Rule 6.1(b), and the Bayer Defendants having come before the Court solely for this extension but not for the purpose of appearing either generally or specially in this jurisdiction, nor having waived any defenses available to them by such appearance; and it is represented that:

This Court has granted the Bayer Defendants no prior extensions of time to answer or otherwise respond in this matter;

The Bayer Defendants each received a request for waiver of service on April 12, 2010;

The Bayer Defendants executed and returned the waivers of service to plaintiff’s counsel on May 12, 2010; and

The Bayer Defendants’ time to answer or otherwise respond to the Third Amended Complaint currently expires on June 11, 2010, pursuant to Federal Rules of Civil Procedure 6(a)(2) and 81(c).

Dated: June 10, 2010

By: /s/ Lawrence S. Lustberg  
Lawrence S. Lustberg  
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<sup>1</sup> Other corporate affiliates of the Bayer defendants have been named as defendants in this action, but this application is brought only by Bayer Corporation, Bayer HealthCare Pharmaceuticals, Inc., and Bayer HealthCare LLC. Bayer AG and Bayer Schering Pharma AG, named defendants, have not yet been served. Bayer Pharmaceuticals Corporation, also a named defendant, merged into Bayer HealthCare Pharmaceuticals, Inc. as of January 1, 2008, and no longer exists as a separate entity. Bayer HealthCare AG, the remaining named defendant, was merged with and into Bayer Schering Pharma AG as of December 30, 2008, upon which Bayer HealthCare AG ceased to exist and Bayer Schering Pharma AG assumed all liabilities and functions of Bayer HealthCare AG, including those related to Trasylol.

**ORDER**

The above application be and hereby is GRANTED and the time to answer or otherwise respond to the Third Amended Complaint for Defendants Bayer Corporation, Bayer Healthcare Pharmaceuticals, Inc., and Bayer Healthcare LLC is extended for a period of fifteen (15) days up to and including June 25, 2010 pursuant to Local Civil Rule 6.1(b) of the United States District Court for the District of New Jersey.

WILLIAM T. WALSH, Clerk of the  
United States District Court  
for the District of New Jersey

By: \_\_\_\_\_  
Deputy Clerk